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June 19, 2014

U.S. District Judge Joseph F. Bianco
Long Island Federal Courthouse
814 Federal Plaza
Central Islip, New York 11722

RE: Zarda v. Altitude Express, Inc. & Ray Maynard, 10 Civ 4334 (JFB)

Dear Judge Bianco:

I respond to Mr. Zabell's letter and thank you for letting me file a JPTO with a truthful statement on it. I also write how we will deal with in the future with Mr. Zabell's homophobia toward me, and his homophobic actions, and how they should be punished. The Circuit, many years ago, censured an attorney for telling a black adversary at a deposition to pronounce the word "ask" as "a-s-k" rather than "a-k-s." They censured him for racial insensitivity. I'll look it up if you'd like. I have never before accused Zabell of homophobia – just his rudeness and lack of civility in general – but now he's *just done it again* by accusing me of a "high pitched rant." Gay people's higher, more feminine voices, are second only to the gesture of a limp wrist in derisive, bigoted remarks and gestures that are intended to make fun of us – and in this case me. I was not on a "high pitched rant." When I was speaking to Mr. Zabell, it was him who was begging me to remove language about an objection. I merely refused his request to take out a line from my portion of the JPTO. He then mincingly and condescendingly asked me to "please say yes in [my] high-pitched voice." I hung up on him and he then filed the unilateral order with names of witnesses whose whereabouts are unknown. My letter followed.

Judge I have always felt fairly treated by you on the law, but when it comes to Mr. Zabell's behavior, you sometimes make it seem like it is a mutual problem. But Mr. Zabell is the bully here, speaks to me condescendingly, has referred to me at a deposition as "eight pounds of shit in a six-pound bag" (when he didn't know he was being heard), and appears in a treatise on sanctions against attorneys. He has intimidated immigrants at depositions in reporting them to the authorities, and made fun of women – one wrote me. Now he has done something that is unmistakably discriminatory and I call him on it. How does he respond? By making fun of my voice again.

I hope your just entered order sends a message for Mr. Zabell to stop to his highly impolite behavior. May I refer you to my adversaries and other judges to prove that I don't behave like him, but am merely trying to defend myself against his arrogant, condescending attitude? I may never appear before you again, unfortunately, and I

understand you and Mr. Zabell are together professionally for life, as it were. But even if I am so unlucky to have this be the only case I appear before you on, I will not tolerate Mr. Zabell's now pronounced bigoted and impolite behavior, and I will call him on his incivility towards me – which is disrespect not only to me but to the court. I have never in my career of twenty years - except for once when an eighty year old, near senile attorney called me a “faggot” in front of a judge - been mocked in any way that calls attention to my sexual orientation. I have been thinking about this for 48 hours, have lost sleep and am wondering if you are going to let this slide, or if you are going to put a stop to Zabell's boorish, discriminatory behavior once and for all in this case – and perhaps forever. Your peremptory order in response to his letter sends a message, but he doesn't learn despite numerous sanctions. I won't tolerate being made fun of in the future.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Gregory Antollino', with a long horizontal flourish extending to the right.

Gregory Antollino

Cc: Saul Zabell